

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** May 10, 2010  
**POSITION:** Neutral, suggest amendments

**BILL NUMBER:** AB 2685  
**AUTHOR:** H. De La Torre

### **BILL SUMMARY:** Private Schools: Credential Notification Requirements

This bill would modify credential notification requirements that the Commission on Teacher Credentialing (CTC) currently provides to private schools. Specifically, the bill would: 1) expand notification requirements from teachers to all credential holders who have had a final adverse action against their credential, 2) change the notification requirement from a revoked or suspended credential to an adverse action taken against the credential, 3) clarify that the information provided to private schools is the same as the information made available to public schools, and 4) make other technical changes to existing statute.

### **FISCAL SUMMARY**

According to the CTC, any workload associated with the implementation of this bill would be minor and absorbable within their existing resources.

### **COMMENTS**

The Department of Finance is neutral on this bill because it attempts to align statutory requirements with the CTC's expected process for providing credential information to private schools; however, we suggest the attached amendments to alleviate an inconsistency in the bill. Specifically, the Credential Web Interface Project (CWIP) that would make teacher credential information available through the CTC website is not expected to be available until August 2011. If this bill becomes effective January 1, 2011, there would be at least an eight month gap where statute would require the CTC to make disciplinary actions available (presumably through the CWIP) and when it would actually be available. Although the CTC would likely continue to provide the necessary disciplinary information through the current notification process, it would be prudent to avoid this statutory gap if possible, especially if the CWIP implementation is delayed by unforeseen circumstances. Allowing the CTC to "provide or make available" the required information would provide the CTC with the necessary flexibility to be statutorily compliant during this transition period.

Current law requires the CTC to provide private schools a monthly notification that lists all teachers who have had their state teaching credential suspended or revoked. The list is to be identical to the list compiled for public schools. The CTC is also required to send private schools a quarterly notification of updated and complete information that list all teachers who have had their teaching credential revoked or suspended, excluding teachers who have had their credential reinstated or who are deceased.

This bill would update existing statute to conform to the CTC's current efforts to provide private schools with timely and valuable information regarding disciplinary action affecting credentials, which includes teachers, administrators, and others that may hold a credential.

The CTC currently provides private schools an encrypted email that provides a broad spectrum of disciplinary actions taken against applicable credential holders and not simply credentials that have been suspended or revoked.

Analyst/Principal (0331) E. Hanson	Date	Program Budget Manager Jeannie Oropeza	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

<b>BILL ANALYSIS</b>	Form DF-43 (Rev 03/95 Buff)
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**AUTHOR**

**AMENDMENT DATE**

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H. De La Torre

May 10, 2010

AB 2685

The CTC is currently working to implement the CWIP, which would allow all schools to access the CTC database for credential holders to determine the status of any credential and if any disciplinary actions have been taken. The CTC anticipates that the CWIP will be available in August 2011, and anticipates continuing to provide schools with encrypted emails until the CWIP is fully operational. As a result of this web interface tool, this bill would change the CTC requirement from providing disciplinary information to making the information available. However, since the bill would become effective January 1, 2011 and the CWIP is not expected to be available until August 2011, there would be an eight month gap where the statute would require CTC to make disciplinary information available and when it would actually be available through the CWIP. Although the CTC states that it would continue to provide necessary disciplinary information through the encrypted email process until the CWIP is implemented, it may not be appropriate to create a statutory void where it is assumed that the CTC would continue to provide the necessary information, especially if the CWIP implementation is delayed.

		SO	(Fiscal Impact by Fiscal Year)						
Code/Department	LA	(Dollars in Thousands)							
Agency or Revenue	CO	PROP							
Type	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	Fund Code
6360/Teacher Cred	SO	No		-----	No/Minor Fiscal Impact	-----			0407
<u>Fund Code</u>	<u>Title</u>								
0407	Teacher Credentials Fund								

Suggested Amendments  
AB 2685 (As amended May 10, 2010)

Amend AB 2685 as follows:

Revise Section 1 on page 5, lines 16 to 20, as follows:

The commission shall provide or make available to each private school a listing of all credentialholders who have had final adverse action taken against their credential. The information shall be identical to that provided or made available to public schools in the state.